

ORIGINAL

Approved: Daniel P. Filor
 DANIEL P. FILOR
 Assistant United States Attorney

Before: HONORABLE GEORGE A. YANTHIS
 United States Magistrate Judge
 Southern District of New York

13 MAG. 1500

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 :
 UNITED STATES OF AMERICA : TO BE FILED
 : UNDER SEAL
 :
 - v. - : COMPLAINT
 :
 EUGENE PALMER, : Violation of 18 U.S.C.
 Defendant. : § 1073
 :
 : COUNTY OF OFFENSE:
 : ROCKLAND
 - - - - -X

SOUTHERN DISTRICT OF NEW YORK, ss.:

Anthony D. DuBack, being duly sworn, deposes and says that he is a Special Agent of the Federal Bureau of Investigation ("FBI"), and charges as follows:

Count One

From on or about September 24, 2012, up to and including the date of the filing of this Complaint, in the Southern District of New York and elsewhere, EUGENE PALMER ("PALMER"), the defendant, unlawfully, intentionally, and knowingly, did move and travel in interstate and foreign commerce, with intent to avoid prosecution under the laws of the place from which he fled, for crimes which are felonies under the laws of the place from which the fugitive fled, to wit, PALMER fled from the State of New York to avoid prosecution for felony charges in connection with a murder he is alleged to have committed on or about September 24, 2012, in the Southern District of New York.

(Title 18, United States Code, Section 1073)

The bases for my knowledge and the foregoing charge are, in part, as follows:

1. I am a Special Agent with the FBI, and I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law

enforcement officers and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

2. On the basis of my conversations with law enforcement officers with the Haverstraw Town Police Department ("HTPD"), as well as on the basis of my review of documents provided to me by the HTPD and the Rockland County District Attorney's Office, I have learned the following:

a. On or about the morning of September 24, 2012, a woman was shot and killed outside of her home in the vicinity of Willow Grove Road in Stony Point, New York (the "Victim").

b. On or about September 24, 2012, HTPD had information that led the HTPD to suspect that EUGENE PALMER, the defendant, had shot and killed the Victim, including the following:

- i. A witness ("WITNESS-1") advised HTPD officers that PALMER had come to WITNESS-1's house a few moments after WITNESS-1 heard several gun shots, PALMER stated that he shot a female, and then gave WITNESS-1 five thousand dollars and told WITNESS-1 to pay PALMER's taxes.
- ii. WITNESS-1 advised HTPD officers that PALMER looked red faced, sweaty, and out of breath when PALMER spoke to WITNESS-1 after WITNESS-1 had heard the gun shots.
- iii. The Victim was shot with a 12-gauge shotgun.
- iv. PALMER's truck and two of PALMER's weapons, including a 12-gauge shotgun, were missing on September 24, 2012, after the Victim was killed.
- v. PALMER's truck was subsequently found abandoned.

c. On or about November 19, 2012, a sealed

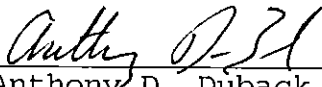
indictment (the "Indictment") was filed with the Rockland County Court charging EUGENE PALMER, the defendant, with the crime of Murder in the Second Degree, in violation of New York Penal Law Section 125.25(1), a felony.

d. On or about November 19, 2012, the Rockland County Court issued an arrest warrant (the "Arrest Warrant") for EUGENE PALMER, the defendant, in connection with the Indictment. A copy of the Arrest Warrant is attached hereto as Exhibit A.

e. Since on or about September 24, 2012, law enforcement officers with the HTPD and other law enforcement agencies have attempted to locate and arrest EUGENE PALMER, the defendant. Their attempts have proved unsuccessful.

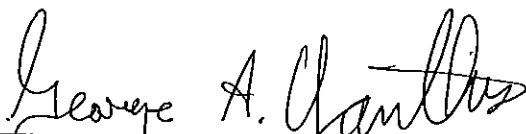
f. I have learned from the HTPD that EUGENE PALMER, the defendant, has contacts outside of the Southern District of New York and outside of the State of New York, where PALMER may be seeking refuge.

WHEREFORE, deponent prays that a warrant be issued for the arrest of EUGENE PALMER, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.



Anthony D. Duback
Special Agent
Federal Bureau of Investigation

Sworn to before me this
10th day of June, 2013



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK